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AMENDMENT TRANSMITTAL **PATENT**

Application No.: 10/038,142
Filing Date: 10/22/01
First Named Inventor Tabatabai
Examiner's Name: Bengzon, G.
Art Unit: 2144
Attorney Docket No.: 80398.P433

____ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
__X__ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
__X__ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
____ Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

____ Preliminary Amendment
____ Amendment/Response with respect to Office Action
____ Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
____ Notice of Appeal
____ RCE (Request for Continued Examination)
____ Supplemental Declaration
____ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
____ Information Disclosure Statement (IDS)
____ Copies of IDS citations
____ Petition for Extension of Time
____ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
____ Cross-Reference to Related Application(s)
____ Certified Copy of Priority Document
__X__ Other: Response to Notice of Non-Compliant Appeal Brief (2 pgs.)
__X__ Other: APPEAL BRIEF (28 PAGES)
____ Check(s)
__X__ Postcard (Return Receipt)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:	Examiner: Bengzon, Greg C.
Tabatabai, et al.	Art Unit: 2144
Application No. 10/038,142	Confirmation No.: 7456
Filed: October 22, 2001	
For: DELIVERY OF MULTIMEDIA DESCRIPTORS USING ACCESS UNITS	

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

In response to the Notice of Non-compliant Appeal Brief mailed on January 10, 2008, Applicant respectfully submits the following revised Appeal Brief, in full, and requests that it replace the originally filed Appeal Brief and any subsequent submissions.

Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Appellant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR
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Dated: February 11, 2008

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FEB 13 2008
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

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APPEAL BRIEF UNDER 37 C.F.R. § 41.37

This is an appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner of Group 2144, dated February 21, 2007, in which claims 1-90 in the above-identified application were rejected in a final Office Action. This Appeal Brief is hereby submitted pursuant to 37 C.F.R. § 41.37(a).

I. REAL PARTY IN INTEREST

The real parties in interest are the co-assignees of the full interest in the invention, Sony Electronics Inc., Park Ridge, New Jersey and Sony Corporation, Tokyo, Japan.

II. RELATED APPEALS AND INTERFERENCES

To the best of Appellant's knowledge, there are no appeals or interferences related to the present appeal that will directly affect, be directly affected by, or have a bearing on the Board's decision in the instant appeal.

III. STATUS OF THE CLAIMS

Claims 1-90 are pending in the application and were finally rejected in an Office Action mailed February 21, 2007. A Pre-Appeal Brief Request for Review was filed on May 18, 2007 to address the rejection of claims 1-90 under 35 U.S.C. § 112, second paragraph. A decision on the Pre-Appeal Brief upholding the § 112 rejection of claims 1-90 was mailed on July 30, 2006. Claims 1-90 are the subject of this appeal. A copy of Claims 1-90 as they stand on appeal are set forth in the Claims Appendix.

IV. STATUS OF AMENDMENTS

No amendments to the claims have been made after receipt of the Final Office Action mailed February 21, 2007.

V. SUMMARY OF CLAIMED SUBJECT MATTER

All references to Appellant's specification provided herein refer to the specification as filed, not to the specification as published.

Appellant's invention as claimed in claims 1-90 uses access units to deliver updates for a multimedia description from an encoder 114 to a decoder 118 (Figure 1) as described on page 8, line 10 through page 9, line 2 of the specification. The multimedia description 200 is divided into fragments 202 (Figure 2; page 9, lines 3-7 and page 10, line 18 through page 11, line 3) and an access unit (300 in Figure 3) corresponds to one of the fragments (page 11, lines 4-12). The access unit comprises a fragment update (304 in Figure 3), which in turn comprises a fragment update command (404 in Figure 4), as described on page 11, line 13 through page 12, line 5. The encoder forms the access units from a multimedia description (page 8, lines 16 through page 9, line 2). The access units are transmitted to the decoder, which executes the fragment update commands to reconstruct the multimedia description (page 11, lines 4-12 and page 12, line 22 through

page 13, line 7). The fragment update can also comprise a fragment reference (904 in Figure 9) that is a pointer to a fragment in a node (page 16, lines 1-12).

Independent claim 1 is a method claim that claims forming an access unit corresponding to a fragment of a multimedia description and forming an encoded data stream from the access unit (page 8, line 16 through page 9, line 7 and page 11, lines 4-12). The access unit is claimed as being a network transmission data structure (page 8, line 16 through page 9, line 12) comprising a fragment update (page 11, line 22 through page 12, line 5). The fragment update is claimed as comprising a fragment update command that specifies a type of command for execution by a decoder to update the multimedia description (page 11, line 13 through page 12, line 5).

Independent claim 22 is a method claim that claims receiving an access unit corresponding to a fragment of a multimedia description (page 8, line 16 through page 9, line 7). The access unit is claimed as being a network transmission data structure (page 8, line 16 through page 9, line 12) comprising a fragment update (page 11, line 22 through page 12, line 5). The fragment update is claimed as comprising a fragment update command that specifies a type of command for execution by a decoder to update the multimedia description (page 11, line 13 through page 12, line 5). The fragment update is also claimed as comprising a first fragment reference that is a pointer to a first referenced fragment in a first node (page 16, lines 1-12).

Independent claim 31 is a computer-readable storage medium claim that claims forming an access unit corresponding to a fragment of a multimedia description and forming an encoded data stream from the access unit (page 8, line 16 through page 9, line 7 and page 11, lines 4-12). The access unit is claimed as being a network transmission data structure (page 8, line 16 through page 9, line 12) comprising a fragment update (page 11, line 22 through page 12, line 5). The fragment update is claimed as comprising a fragment update command that specifies a type of command for execution by a decoder to update the multimedia description (page 11, line 13 through page 12, line 5).

Independent claim 52 is a computer-readable storage medium claim that claims receiving an access unit corresponding to a fragment of a multimedia description (page 8, line 16 through page 9, line 7). The access unit is claimed as being a network transmission data structure (page 8, line 16 through page 9, line 12) comprising a

fragment update (page 11, line 22 through page 12, line 5). The fragment update is claimed as comprising a fragment update command that specifies a type of command for execution by a decoder to update the multimedia description (page 11, line 13 through page 12, line 5). The fragment update is also claimed as comprising a first fragment reference that is a pointer to a first referenced fragment in a first node (page 16, lines 1-12).

Independent claim 61 is a system claim that claims a memory and a processor coupled through a system bus, and an encode process executed by the processor from the memory (page 23, lines 12-17, page 24, lines 10-16, and Figure 11). The encode process causes the processor to form an access unit corresponding to a fragment of a multimedia description and form an encoded data stream from the access unit (page 8, line 16 through page 9, line 7 and page 11, lines 4-12). The access unit is claimed as being a network transmission data structure (page 8, line 16 through page 9, line 12) comprising a fragment update (page 11, line 22 through page 12, line 5). The fragment update is claimed as comprising a fragment update command that specifies a type of command for execution by a decoder to update the multimedia description (page 11, line 13 through page 12, line 5).

Independent claim 82 is a system claim that claims a memory and a processor coupled through a system bus, and a decode process executed by the processor from the memory (page 23, lines 12-17, page 24, lines 10-16, and Figure 11). The decode process causes the processor to receive an access unit corresponding to a fragment of a multimedia description (page 8, line 16 through page 9, line 7). The access unit is claimed as being a network transmission data structure (page 8, line 16 through page 9, line 12) comprising a fragment update (page 11, line 22 through page 12, line 5). The fragment update is claimed as comprising a fragment update command that specifies a type of command for execution by a decoder to update the multimedia description (page 11, line 13 through page 12, line 5). The fragment update is also claimed as comprising a first fragment reference that is a pointer to a first referenced fragment in a first node (page 16, lines 1-12).

Dependent claim 6 is a method claim that depends from claim 1 through claim 4 and further claims that a fragment reference is in XPath (page 16, lines 16-17).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

I. Claims 1-90 stand rejected under 35 U.S.C. § 112, second paragraph as indefinite.

II. Claims 1-5, 7-35, 37-65, 67-90 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Paek, et al., U.S. Patent 7,143,434 in view of Vandersluis, et al., U.S. Patent 7,165,073.

III. Claims 6, 36 and 66 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Paek and Vandersluis, in combination with Srivastava, et al., U.S. Patent 6,549,922 and "W3C Issues XSL Transformations (XSLT) and XML Path Language (XPath) as Recommendations" (W3C Organization Press Release of November 16, 1999).

VII. ARGUMENTS

I. Claims 1-90 are definite under 35 U.S.C. § 112, second paragraph.

Claims 1-90 stand or fall together. Claim 1 is the representative claim.

The Examiner rejected claim 1 in the final Office Action mailed February 21, 2007, asserting that "any special meaning assigned to a term must be sufficiently clear in the specification that any departure from common usage would be so understood by a person of experience in the field of the invention."

In paragraph 28 of Appellant's originally filed specification, Appellant describes an access unit as a unit for transmitting a fragment of a description from an encoder to a decoder through a network:

> In the following, "access unit" is used to refer to the smallest unit for transmitting a part of a description from an encoder to a decoder across a communication channel or inside a stream. . . When transmitting a description the encoder divides the description into fragments, encodes these as access units, and sends access units to the decoder where they are used to reconstruct the description.

In paragraphs 36-38, Appellant describes embodiments of the structure of an access unit, and illustrates an exemplary data structure for an access unit in Figures 3 and 4.

In paragraph 38, Appellant states that a command in an access unit "specifies the type of update to execute, for example to add, delete, or replace a fragment" in a description.

Therefore, Appellant respectfully submits that one of ordinary skill in the data processing arts would clearly understand the meanings of the terms "access unit" and "fragment update command" upon reading Appellant's specification and drawings.

Furthermore, the language of claim 1 includes the definition of the term "access unit" as a network transmission data structure, and includes the definition of the term "fragment update command" as specifying a type of command for execution by a decoder to update the multimedia description. Both definitions are consistent with the definitions of the terms within the specification.

Therefore, because one of ordinary skill would readily understand the meaning of the terms based on the definitions set forth in the claims, and that the definitions are consistent with the specification and drawings, claim 1 cannot be properly rejected under § 112, second paragraph as being indefinite.

II. Claims 1-5, 7-35, 37-65, 67-90 are patentable under 35 U.S.C. § 103(a) over the combination of Paek and Vandersluis.

Claims 1-5, 7-35, 37-65, 67-90 stand or fall together. Claim 1 is the representative claim.

Paek discloses generating an image description record from multimedia information by extracting video objects from the multimedia and creating video object hierarchies. Paek also discloses creating a document type definition (DTD) from the extracted video objects and video object hierarchies.

Vandersluis discloses an authoring system that assists a user in selecting commands to edit an existing document definition file (DDF) or to create a new DDF. The DDF contains a series of independent data requests that are sent to a server to retrieve the data.

The Examiner asserts that Paek's image description record is equivalent to Appellant's access unit that is claimed as being a network transmission data structure. However, Paek's does not teach or even suggest that the image description record is a data structure that is transmitted through a network. Moreover, the Examiner asserts that the descriptions contained in Paek's image description record are equivalent to Appellant's fragment update in an access unit. Appellant respectfully submits that, when

claim 1 is read as a whole, one of skill in the art would immediately understand that the claimed fragment update is used to update the corresponding fragment of multimedia data. Although, the Examiner did not particularly point out which of the descriptions he relied upon, Applicant respectfully submits none of the descriptions are disclosed by Paek as being used to update fragments of multimedia information. Instead, Paek's description merely define the existing features of the multimedia information. Finally, the Examiner asserts that using the video objects and video object hierarchies to create elements in a document type definition (DTD) is equivalent to forming an encoded data stream from an access unit as claimed by Appellant. Although Paek discloses that the DTD can be accessed by other computers, Paek does not teach or suggest that the DTD itself is an encoded data stream. In addition, Paek does not disclose that the DTD is created from the video objects and video object hierarchies stored in the image description record. Therefore, Paek does not teach or suggest Appellant's access unit, fragment update, or encoded data stream as claimed.

Furthermore, the Examiner is relying on Vandersluis as disclosing Appellant's fragment update command that is claimed as specifying a type of command to update a multimedia description. However, in Vandersluis the user specifies the type of command to execute on the DDF through an authoring system interface illustrated in Figures 4a-d. Moreover, the DDF is not a multimedia description but is, instead, a documents of data requests. Therefore, Vandersluis cannot be properly interpreted as teaching or suggesting Appellant's fragment update command that specifies a type of command to update a multimedia description. Vandersluis further cannot be properly interpreted as teaching or suggesting Appellant's fragment update command that is part of an access unit that is claimed as being a network transmission data structure. Therefore, Vandersluis does not disclose the fragment update command as claimed.

Therefore, Appellant's invention as claimed in claim 1 is patentable under 35 U.S.C. § 103 over the combination of Paek and Vandersluis.

III. Claims 6, 36 and 66 are patentable under 35 U.S.C. § 103(a) over the combination of Paek, Vandersluis, Srivastava, and the W3C press release.

Claims 6, 35 and 66 stand or fall together. Claim 6 is the representative claim.

Srivastava discloses extracting metadata into a set of annotations and formatting the sets in a standardized form, such as XML. The W3C press release announces XML Path Language (XPath) as a World Wide Web Consortium Recommendation.

The combination of Paek and Vandersluis does not disclose Appellant's access unit that is claimed as a network transmission data structure, nor Appellant's fragment update command that is claimed as specifying a type of command for execution by a decoder to update the multimedia description, nor Appellant's claimed forming of an encoded data stream from the claimed access unit as claimed in claim 1. Therefore, the combination of Srivastava and the W3C press release must disclose all these elements to have a proper *prima facie* case of obviousness for claim 6. However, neither Srivastava nor the W3C press release teach or suggest an access unit, or a fragment update command, or an encoded data stream as claimed by Appellant in claim 6.

Accordingly, Appellant's invention as claimed in claim 6 is patentable 35 U.S.C. § 103(a) over the combination of Paek, Vandersluis, Srivastava and the W3C press release.

VIII. CONCLUSION

Appellant's claims 1-90 do comply with 35 U.S.C. § 112, second paragraph, and Appellant's invention as claimed in claims 1-90 is not rendered obvious under 35 U.S.C. § 103 by the cited art. Therefore, Appellant respectfully requests the Board reverse the rejections of claims 1-90 under 35 U.S.C. § 112, second paragraph, and 35 U.S.C. § 103, and direct the Examiner to enter a Notice of Allowance for claims 1-90.

Fee for Filing a Brief in Support of Appeal

Because Appellant has previously paid the fee for filing a brief in support of an appeal as required under 37 C.F.R. §§ 1.17(c) and 41.37(a), no further fee is required to submit this replacement brief.

Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Appellant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: February 11, 2008

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CLAIMS APPENDIX FOR
APPEAL BRIEF UNDER 37 C.F.R. § 41.37

1. (Previously presented) A computerized method comprising:

forming an access unit corresponding to a fragment of a multimedia description, the access unit being a network transmission data structure comprising a fragment update, the fragment update comprising a fragment update command that specifies a type of command for execution by a decoder to update the multimedia description; and

forming an encoded data stream from the access unit.

2. (Original) The method of claim 1 wherein the fragment update command is selected from the group consisting of add, delete, change, and reset commands.

3. (Previously presented) The method of claim 1 wherein the fragment update further comprises a value.

4. (Previously presented) The method of claim 1 wherein the fragment update further comprises a fragment reference wherein the fragment reference is a pointer to a fragment to be used by the fragment update command.

5. (Previously presented) The method of claim 4 wherein the fragment reference is a uniform resource identifier (URI).

6. (Previously presented) The method of claim 4 wherein the fragment reference is in XPath.

7. (Original) The method of claim 1 wherein the fragment update further comprises a payload.

8. (Original) The method of claim 4 wherein the fragment is in a first node.

9. (Original) The method of claim 8 wherein the fragment reference is in a second node and the first node and the second node are the same node.

10. (Previously presented) The method of claim 9 wherein the first node and the second node are in a Moving Picture Experts Group (MPEG) multimedia description.

11. (Original) The method of claim 8 wherein the fragment reference is in a second node and the first node and the second node are different nodes.

12. (Previously presented) The method of claim 11 wherein the first node and the second node are in a Moving Picture Experts Group (MPEG) multimedia description.

13. (Previously presented) The method of claim 1 further comprising:

determining if a multimedia description corresponding to the access unit has changed;

identifying a changed portion of the multimedia description and a corresponding access unit; and

forming the fragment update to correspond to the changed portion of the multimedia description.

14. (Original) The method of claim 1 further comprising:

associating the access unit with a partial description.

15. (Original) The method of claim 14 wherein the partial description comprises an instance of a descriptor.

16. (Original) The method of claim 1 further comprising:

associating the access unit with a reset point that contains a fragment that forms a complete description.

17. (Previously presented) The method of claim 4 wherein the fragment is stored on a different system than a system performing the method of claim 1.

18. (Original) The method of claim 1 wherein the access unit corresponds to a description, and further comprising:

transmitting the encoded data stream while the description is static.

19. (Original) The method of claim 1 wherein the access unit corresponds to a description, and further comprising:

transmitting the encoded data stream while the description is dynamic.

20. (Previously presented) The method of claim 1 further comprising:

transmitting a data for decoding to a decoder.

21. (Original) The method of claim 20 wherein the data include schemas defining a description data to be transmitted.

22. (Previously presented) A computerized method comprising:

receiving an access unit corresponding to a fragment of a multimedia description, the access unit being a network transmission data structure comprising a fragment update, wherein the fragment update comprises a command and a first fragment reference, and wherein the first fragment reference is a pointer to a first referenced fragment in a first node, and the command specifies a type of command for execution by a decoder to update the multimedia description.

23. (Original) The method of claim 22 wherein the first referenced fragment is a partial description.

24. (Original) The method of claim 22 further comprising:

comparing the first referenced fragment to a stored fragment; and

obtaining the stored fragment if the stored fragment is the first referenced fragment.

25. (Original) The method of claim 22 wherein the first fragment reference is in hyper-text transfer protocol (HTTP).

26. (Previously presented) The method of claim 22 wherein the access unit is a part of a Moving Picture Expert Group (MPEG) multimedia description.

27. (Original) The method of claim 22 further comprising:

identifying a second node which the command affects; and

identifying a second fragment reference which the first fragment reference points to, wherein the second fragment reference points to the first referenced fragment.

28. (Original) The method of claim 22 wherein the fragment update further comprises a payload.

29. (Original) The method of claim 27, wherein the second fragment reference points to a second referenced fragment within the first node, further comprising:

replacing the first fragment reference with a third fragment reference pointing to the second referenced fragment.

30. (Original) The method of claim 27, wherein the second fragment reference points to a second referenced fragment within the first node, further comprising:

replacing the first fragment reference with a third fragment reference pointing to a third referenced fragment within the second node.

31. (Previously presented) A computer-readable medium having executable instructions to cause a computer to perform a method comprising:

forming an access unit corresponding to a fragment of a multimedia description, the access unit being a network transmission data structure comprising a fragment update, the fragment update comprising a fragment update command that specifies a type of command for execution by a decoder to update the multimedia description; and

forming an encoded data stream from the access unit.

32. (Previously Presented) The computer-readable medium of claim 31, wherein the fragment update command is selected from the group consisting of add, delete, change, and reset commands.

33. (Previously Presented) The computer-readable medium of claim 31, wherein the fragment update further comprises a value.

34. (Previously Presented) The computer-readable medium of claim 31, wherein the fragment update command further comprises a fragment reference, and wherein the fragment reference is a pointer to a fragment to be used by the fragment update command.

35. (Previously Presented) The computer-readable medium of claim 34, wherein the fragment reference is a uniform resource identifier (URI).

36. (Previously Presented) The computer-readable medium of claim 34, wherein the fragment reference is in XPath.

37. (Previously Presented) The computer-readable medium of claim 34, wherein the fragment is stored on a different computer.

38. (Previously Presented) The computer-readable medium of claim 34, wherein the fragment is in a first node.

39. (Previously Presented) The computer-readable medium of claim 38, wherein the fragment reference is in a second node and the first node and the second node are the same node.

40. (Previously presented) The computer-readable medium of claim 39, wherein the first node and the second node are in a Moving Picture Experts Group (MPEG) multimedia description.

41. (Previously Presented) The computer-readable medium of claim 38, wherein the fragment reference is in a second node and the first node and the second node are different nodes.

42. (Previously presented) The computer-readable medium of claim 41, wherein the first node and the second node are in a Moving Picture Experts Group (MPEG) multimedia description.

43. (Previously Presented) The computer-readable medium of claim 31, wherein the fragment update further comprises a payload.

44. (Previously Presented) The computer-readable medium of claim 31, wherein the method further comprises:

determining if a multimedia description corresponding to the access unit has changed;

identifying a changed portion of the multimedia description and a corresponding access unit; and

forming the fragment update to correspond to the changed portion of the multimedia description.

45. (Previously Presented) The computer-readable medium of claim 31, wherein the method further comprises:

associating the access unit with a partial description.

46. (Previously Presented) The computer-readable medium of claim 45, wherein the partial description comprises an instance of a descriptor.

47. (Previously Presented) The computer-readable medium of claim 31, wherein the method further comprises:

associating the access unit with a reset point that contains a fragment that forms a complete description.

48. (Previously Presented) The computer-readable medium of claim 31, wherein the access unit corresponds to a description, and the method further comprises:

transmitting the encoded data stream while the description is static.

49. (Previously Presented) The computer-readable medium of claim 31, wherein the access unit corresponds to a description, and the method further comprises:

transmitting the encoded data stream while the description is dynamic.

50. (Previously Presented) The computer-readable medium of claim 31, wherein the method further comprises:

transmitting a data for decoding to a decoder.

51. (Previously Presented) The computer-readable medium of claim 50, wherein the data include schemas defining a description data to be transmitted.

52. (Previously presented) A computer-readable medium having executable instruction to cause a computer to perform a method comprising:

receiving an access unit corresponding to a fragment of a multimedia description, the access unit being a network transmission data structure comprising a fragment update, wherein the fragment update comprises a command and a first fragment reference, and wherein the first fragment reference is a pointer to a first referenced fragment in a first node and the command specifies a type of command for execution by a decoder to update the multimedia description.

53. (Previously Presented) The computer-readable medium of claim 52, wherein the first referenced fragment is a partial description.

54. (Previously Presented) The computer-readable medium of claim 52, wherein the method further comprises:

comparing the first referenced fragment to a stored fragment; and

obtaining the stored fragment if the stored fragment is the first referenced fragment.

55. (Previously Presented) The computer-readable medium of claim 52, wherein the first fragment reference is in hyper-text transfer protocol (HTTP).

56. (Previously presented) The computer-readable medium of claim 52, wherein the access unit is a part of a Moving Picture Expert Group (MPEG) multimedia description.

57. (Previously Presented) The computer-readable medium of claim 52, wherein the method further comprises:

identifying a second node which the command affects; and

identifying a second fragment reference which the first fragment reference points to, wherein the second fragment reference points to the first referenced fragment.

58. (Previously Presented) The computer-readable medium of claim 57, wherein the second fragment reference points to a second referenced fragment within the first node, and the method further comprises:

replacing the first fragment reference with a third fragment reference pointing to the second referenced fragment.

59. (Previously Presented) The computer-readable medium of claim 57, wherein the second fragment reference points to a second referenced fragment within the first node, and the method further comprises:

replacing the first fragment reference with a third fragment reference pointing to a third referenced fragment within the second node.

60. (Previously Presented) The computer-readable medium of claim 52, wherein the fragment update further comprises a payload.

61. (Previously presented) A system comprising:

a processor coupled to a memory through a system bus; and

a encode process executed by the processor from the memory to cause the processor to form an access unit corresponding to a fragment of a multimedia description and form an

encoded data stream from the access unit, the access unit being a transmission data structure comprising a fragment update, and the fragment update comprising a fragment update command that specifies a type of command for execution by a decoder to update the multimedia description.

62. (Previously Presented) The system of claim 61, wherein the fragment update command is selected from the group consisting of add, delete, change, and reset commands.

63. (Previously Presented) The system of claim 61, wherein the fragment update further comprises a value.

64. (Previously Presented) The system of claim 61, wherein the fragment update further comprises a fragment reference wherein the fragment reference is a pointer to a fragment to be used by the fragment update command.

65. (Previously Presented) The system of claim 61, wherein the fragment reference is a uniform resource identifier (URI).

66. (Previously Presented) The system of claim 61, wherein the fragment reference is in XPath (extensible markup language path language).

67. (Previously Presented) The system of claim 64, wherein the fragment is stored on a different system.

68. (Previously Presented) The system of claim 64, wherein the fragment is in a first node.

69. (Previously Presented) The system of claim 68, wherein the fragment reference is in a second node and the first node and the second node are the same node.

70. (Previously presented) The system of claim 69, wherein the first node and the second node are in a Moving Picture Experts Group (MPEG) multimedia description.

71. (Previously Presented) The system of claim 68, wherein the fragment reference is in a second node and the first node and the second node are different nodes.

72. (Previously presented) The system of claim 71, wherein the first node and the second node are in a Moving Picture Experts Group (MPEG) multimedia description.

73. (Previously Presented) The system of claim 61, wherein the fragment update further comprises a payload.

74. (Previously Presented) The system of claim 61, wherein the encode process further causes the processor to determine if a multimedia description corresponding to the access

unit has changed, identify a changed portion of the multimedia description and a corresponding access unit, and form the fragment update to correspond to the changed portion of the multimedia description.

75. (Previously Presented) The system of claim 61, wherein the encode process further causes the processor to associate the access unit with a partial description.

76. (Previously Presented) The system of claim 75, wherein the partial description comprises an instance of a descriptor.

77. (Previously Presented) The system of claim 61, wherein the encode process further causes the processor to associate the access unit with a reset point that contains a fragment that forms a complete description.

78. (Previously Presented) The system of claim 61, wherein the access unit corresponds to a description, and the encode process further causes the processor to transmit the encoded data stream through a network interface coupled to the processor through the system bus while the description is static.

79. (Previously Presented) The system of claim 61, wherein the access unit corresponds to a description, and the encode process further causes the processor to transmit the encoded data stream through a network interface coupled to the processor through the system bus while the description is dynamic.

80. (Previously Presented) The system of claim 61, wherein the encode process further causes the processor to transmit a data for decoding to a decode process through a network interface coupled to the processor through the system bus.

81. (Previously Presented) The system of claim 80, wherein the data include schemas defining a description data to be transmitted.

82. (Previously presented) A system comprising:

a processor coupled to a memory through a system bus; and

a decode process executed by the processor from the memory to cause the processor to receive an access unit corresponding to a fragment of a multimedia description, the access unit being a network transmission data structure comprising a fragment update, wherein the fragment update comprises a command and a first fragment reference, and wherein the first fragment reference is a pointer to a first referenced fragment in a first node, and the command specifies a type of command for execution by the processor to update the multimedia description.

83. (Previously Presented) The system of claim 82, wherein the first referenced fragment is a partial description.

84. (Previously Presented) The system of claim 82, wherein the decode process further causes the processor to compare the first referenced fragment to a stored fragment, and obtain the stored fragment if the stored fragment is the first referenced fragment.

85. (Previously Presented) The system of claim 82, wherein the first fragment reference is in hyper-text transfer protocol (HTTP).

86. (Previously presented) The system of claim 82, wherein the access unit is a part of a Moving Picture Expert Group (MPEG) multimedia description.

87. (Previously Presented) The system of claim 82, wherein the decode process further causes the processor to identify a second node which the command affects, and identify a second fragment reference which the first fragment reference points to, wherein the second fragment reference points to the first referenced fragment.

88. (Previously Presented) The system of claim 87, wherein the second fragment reference points to a second referenced fragment within the first node, and the decode process further causes the processor to replace the first fragment reference with a third fragment reference pointing to the second referenced fragment.

89. (Previously Presented) The system of claim 87, wherein the second fragment reference points to a second referenced fragment within the first node, and the decode

process further causes the processor to replace the first fragment reference with a third fragment reference pointing to a third referenced fragment within the second node.

90. (Previously Presented) The system of claim 82, wherein the fragment update further comprises a payload.

EVIDENCE APPENDIX FOR
APPEAL BRIEF UNDER 37 C.F.R. § 41.37

NONE

RELATED PROCEEDINGS APPENDIX FOR APPEAL BRIEF UNDER 37 C.F.R. § 41.37

NONE